

Points To Remember

- It is important that you do not ignore the Summons and Complaint. It does not go away and can impact the rest of your life.
- You have 30 days from the date you were served to respond to the Summons and Complaint.
- If you have any questions about the Summons and Complaint, please contact the child support office at 619-236-7600. A case manager will assist you.
- When coming to the DCSS, please bring proof of income such as a recent pay stub and W-2 form.

Family Law Facilitator

A Summons and Complaint is a legal document and a civil lawsuit. If you need assistance in completing and filing forms, you may visit the Family Law Facilitator on the fourth floor of the downtown courthouse located at 220 W. Broadway, San Diego, CA 92101.



WE ARE HERE TO HELP!

This pamphlet gives information about the general procedures of the County of San Diego Department of Child Support Services, and should be used for informational purposes only.

You have the option to consult an attorney. The Department of Child Support Services does not offer legal representation or give legal advice.



*"Enhance Our Children's Futures
by Obtaining Support For Families
Today"*

County of San Diego
Department of Child Support Services
220 W. Broadway, 6th Floor
San Diego, CA 92101

Phone: 619-236-7600
Outside San Diego County:
866-230-CARE
www.sandiegochildsupport.org

SDPUB 001 (04/07)



Supporting California's Children

SUMMONS & COMPLAINT and PROPOSED JUDGMENT



COUNTY OF SAN DIEGO
Department of
Child Support Services

When the Department of Child Support Services opens a case to establish a support order, a Summons and Complaint with a Proposed Judgment may be issued. If both parents participate in the process, a fair order can be obtained.

What is a Summons and Complaint?

A Summons and Complaint is a legal document used to establish paternity, child and/or medical support.

What is a Proposed Judgment?

A Proposed Judgment states what the Department of Child Support Services (DCSS) recommends the court to order based upon the Summons and Complaint.

How will I be notified if a Summons and Complaint is filed against me?

You could be mailed a courtesy letter informing you of the complaint. The letter tells you that you can pick up the Summons and Complaint at the local child support office or return the Acknowledgement of Receipt (included in the Summons and Complaint packet).

Otherwise, you may be served (given) the Summons and Complaint personally at your home or workplace.

What should I do after I am served?

You have **thirty (30) days** to respond from the date you were served. You should file an Answer and/or sign an agreement (Stipulation).

File an Answer

Filing an Answer refers to submitting a written response to the Complaint. An Answer form is included in the Summons and Complaint packet or can be obtained from DCSS or the Family Law Facilitator. You must formally file an Answer with the court within thirty (30) days of the date you were initially served.

Genetic Testing

If you are unsure you are the father of the child, you may have the option to request genetic testing. To request a genetic test, you must come to the DCSS office and bring a photo ID. Also, bring a copy of your filed Answer or be prepared to file an Answer at that time. If you do not request genetic testing, you may be named the legal parent of the child, even if you are not the biological parent.

Sign an Agreement (Stipulation)

You can contact the local child support agency named in the Summons and Complaint to sign an agreement (stipulation) to establish paternity, child support, medical support and/or childcare.

Making contact or meeting with child support representatives does not itself meet the 30-day deadline. A **signed** stipulation to all terms must be reached to be in compliance with this time frame.

What happens if I do not respond?

Do not ignore the Summons and Complaint!

- If you do not sign a stipulation or file an Answer **within thirty (30) days, the Proposed Judgment will become a Final Judgment.**
- If you ignore these papers you will be considered the legal parent and child support may be ordered.

It is in your best interest to take care of this legal matter before it becomes a **Final Judgment**. The information you provide will help ensure the order is fair.

Representation

The Department of Child Support Services does not represent either party. Our focus is to promote the well-being of children.



Children who receive support from both parents do better socially and scholastically.